

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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KISHORE NATH, Individually and On : Case No. 1:21-cv-06365-BMC
Behalf of All Others Similarly Situated, :
Plaintiff : ECF Case
: Electronically Filed
: Oral Argument Requested
v. :
: LIGHTSPEED COMMERCE INC., :
DAX DASILVA, and BRANDON BLAIR :
NUSSEY, :
Defendants. :
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**NOTICE OF MOTION OF LIGHTSPEED COMMERCE INC.,
DAX DASILVA, AND BRANDON BLAIR NUSSEY
TO DISMISS THE
AMENDED CLASS ACTION COMPLAINT**

PLEASE TAKE NOTICE that, upon the Amended Class Action Complaint (ECF No. 33); the accompanying Memorandum of Law, dated June 27, 2022; the accompanying Declaration of Alexander C. Drylewski, dated June 27, 2022, and exhibits thereto; and upon all prior papers and proceedings herein, Defendants Lightspeed Commerce Inc., Dax Dasilva, and Brandon Blair Nussey, through their undersigned counsel, will move this Court, before the Honorable Brian M. Cogan, United States District Judge, at the United States Courthouse, 225 Cadman Plaza East, Brooklyn, NY 11201, on a date and at a time designated by the Court, for an Order pursuant to Rules 8(a), 9(b), and 12(b)(6) of the Federal Rules of Civil Procedure, and the Private Securities Litigation Reform Act of 1995, 15 U.S.C. § 78u-4(b)(2), dismissing the Amended Class Action Complaint in its entirety with prejudice and granting such other and further relief as this Court may deem just and proper.

Dated: New York, New York
June 27, 2022

/s/ Alexander C. Drylewski

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